

REMARKS

I. Objection to the Amendment to the Specification

The Examiner has considered but did not enter the preliminary amendment filed on May 1, 2002 with the application because the Examiner viewed the preliminary amendment as adding a new matter. Specifically, the Examiner objected to the amendment to the specification to the first full paragraph at column 4, line 9, and specifically at lines 7-8 of that paragraph, the change from “Fluid entering any of the ports encounters a chamber and channels leading to three diverter valves” to – Fluid entering any of the ports encounters a chamber and channels leading to at least two diverter valves – . Examiner objects to the amendment because the Examiner considers the recitation of “at least two” as adding new matter.

In response, the Applicant submits herewith a new amendment in which the text discussed above is amended to recite “Fluid entering any of the ports encounters a chamber and channels leading to up to three diverter valves” (emphasis added). This revised text is fully supported by the specification, as originally filed, and does not add a new matter. Support for this amended text can be found, for example, in Figure 3A of the specification. Fluid entering port 52 encounters a chamber 62 and channels leading to two diverter valves 70 and 72. Fluid entering port 50 encounters a chamber 60 and channels leading to three diverter valves 70, 76, and 78. Thus, the amendment submitted herewith does not add new matter.

The text of the specification, as originally filed, erroneously stated that any of the ports leads to a chamber and channels leading to three diverter valves, when clearly, as illustrated in Figure 3A, some of the ports lead to two diverter valves. The amendment submitted herewith appropriately corrects this error without adding new matter.

Accordingly, entry of the amendment submitted herewith and allowance of claims 1-20 are respectfully requested.

The Examiner further states that the oath submitted with the application is improper because it alleges "error" on the basis of a desire to add new matter to the application. The Applicant does not believe that the current oath is improper. The oath merely states that the specification, as originally filed, erroneously recites "Fluid entering any of the ports encounters a chamber and channels leading to three diverter valves." And this error is properly corrected by the amendment submitted herewith.

II. Amendment to the Claims

The Applicant would like to thank the Examiner for noting that the amended claims presented, but not entered, in the Preliminary Amendment of May 1, 2002, are allowable if the objection to the specification is addressed. But because the amendments submitted in the Preliminary Amendment were not entered, the Applicant hereby resubmits the amendments to the claims. Having addressed the Examiner's objection to the amendment to the specification, the Applicant requests entry of the amendments to the claims and their allowance are requested.

III. Summary

The Applicant believes that the deficiencies identified by the Examiner have been corrected and the application is in condition for allowance. Entry of the amendment and allowance of the claims 1-20, as amended, are respectfully requested.

No fee is believed required for the filing of this Amendment and Response. However, if there are any fee due, the Examiner is authorized to charge such fees to Duane Morris Deposit Account No. 50-2061.

Respectfully submitted,

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Enclosures

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